

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-CV-11825-NMG

G. DAVID IVERSON and
ACCESS WITH SUCCESS,
INC.

Plaintiffs,

v.

CITY OF BOSTON,
Defendant.

**DEFENDANT CITY OF BOSTON'S MOTION FOR LEAVE TO REPLY TO
PLAINTIFFS' OPPOSITION TO DEFENDANT'S MOTION TO DISMISS**

Now comes the Defendant, City of Boston, and respectfully moves this Court to allow its Motion for Leave to Reply to Plaintiffs' Opposition to Defendant's Motion to Dismiss Plaintiffs' Complaint. As grounds therefore Defendant states that Plaintiffs misconstrue the mandates of the Americans With Disabilities Act (ADA) and the requirements to attain standing. Please see the Defendant's Reply, which is attached hereto.

WHEREFORE: The Defendant respectfully requests this Honorable Court allow its motion for leave to file a reply to Plaintiffs' Opposition to Defendant's Motion to Dismiss.

Respectfully submitted,
DEFENDANTS,
Merita A. Hopkins
Corporation Counsel
By its attorney:

/s/ Kate Cook
Kate Cook, BBO #650698
Susan Weise, BBO# 545455
Assistant Corporation Counsel
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CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I hereby certify that undersigned counsel for the Defendant, City of Boston, discussed the above motion with Nicholas S. Guerrera via telephone on, December 13, 2004, both in a good faith effort to resolve and narrow the issues presented by said motion, but that counsel were unable to resolve the issues prior to filing of the motion.